



Order Filed on August 13, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
<b>Caption in Compliance with D.N.J. LBR 9004-1</b> DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave. Suite 406 Westmont, NJ 08018 (215)627-1322 <a href="mailto:dcarlton@kmlawgroup.com">dcarlton@kmlawgroup.com</a> Attorneys for U.S. Bank National Association, as Trustee, Successor in interest to Wachovia Bank, N.A., as Trustee, for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2005-A1
In Re:  Cassandra Lynn Banko,  Debtor.

Case No.: 18-29983 ABA  
Adv. No.:  
Hearing Date: 9/12/19 @10:00 a.m.  
  
Judge: Andrew B. Altenburg, Jr.

**CONSENT ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (3) is hereby  
**ORDERED**

**DATED: August 13, 2019**

  
\_\_\_\_\_  
Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

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Debtor: Cassandra Lynn Banko

Case No.: 18-29983 ABA

Caption: **CONSENT ORDER RESOLVING SECURED CREDITOR'S OBJECTION  
TO DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee, Successor in interest to Wachovia Bank, N.A., as Trustee, for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2005-A12, holder of a mortgage on real property located at 8801 Hawthorn Ln., Glenside, PA 19038, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Ellen McDowell, Esquire, attorney for Debtor, Cassandra Lynn Banko, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that \$910,000.00 is amortized over 30 years; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the loan has a fixed interest rate of 4.5%; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the principal and interest payment is \$4,610.84; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that payments will begin October 1, 2019; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the loan will not be escrowed; Debtor will be responsible for any and all escrow items, including but not limited to taxes and insurance, on their own; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that all other provisions of the original mortgage will remain in full force and effect, including but not limited to all default provisions; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the Debtor defaults under the terms of this order before the closing of this case, either by being more than 30 days late on any regular payments or by failing to maintain the escrow obligations, Secured Creditor may seek relief from stay by filing a certification of default, indicating this default and Debtor shall have 14 days to respond; and

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Debtor: Cassandra Lynn Banko

Case No.: 18-29983 ABA

Caption: **CONSENT ORDER RESOLVING SECURED CREDITOR'S OBJECTION  
TO DEBTOR'S CHAPTER 13 PLAN**

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 11 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Debtor, and Debtor's counsel at the time of submission to the Court; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the Debtor defaults under the terms of this order after this case has been closed, Secured Creditor can proceed with its rights in state court without further leave of the court; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the lien shall remain on the property until the loan, as laid out in this order, is full paid; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that we vote in favor of the plan; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

*/s/ Denise Carlon*

\_\_\_\_\_  
DENISE CARLON, ESQ., ATTORNEY FOR SECURED  
CREDITOR

Dated: 8/13/19

I hereby agree and consent to the above terms and conditions:

*/s/ Ellen McDowell*

\_\_\_\_\_  
ELLEN MCDOWELL, ESQ., ATTORNEY FOR DEBTOR

Dated: 8/13/19



**Certificate of Notice Page 5 of 5**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Cassandra Lynn Banko  
 Debtor

Case No. 18-29983-ABA  
 Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf903

Page 1 of 1  
 Total Noticed: 2

Date Rcvd: Aug 13, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 15, 2019.

db +Cassandra Lynn Banko, 304 N. Essex Ave., Margate City, NJ 08402-1830  
 aty +Ellen McDowell, McDowell Law, PC, 46 West Main Street, Maple Shade, NJ 08052-2432

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 15, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 13, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, N.A., as Trustee, for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2005-A1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Denise E. Carlon on behalf of Creditor U.S. Bank N.A., successor trustee to Wachovia Bank, N.A., as trustee, on behalf of the holders of Multi-Class Mortgage Pass-Through Certificates, Series 2005-A1 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
 Douglas J. McDonough on behalf of Creditor U.S. Bank N.A., successor trustee to Wachovia Bank, N.A., as trustee, on behalf of the holders of Multi-Class Mortgage Pass-Through Certificates, Series 2005-A1 DMcDonough@flwlaw.com  
 Ellen M. McDowell on behalf of Debtor Cassandra Lynn Banko emcdowell@mcdowelllegal.com, kgresh@mcdowelllegal.com; djamison@mcdowelllegal.com; r62202@notify.bestcase.com  
 Jason Brett Schwartz on behalf of Creditor Capital One Auto Finance jschwartz@mesterschwartz.com  
 Jeffrey M. Sponder on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov, jeffrey.m.sponder@usdoj.gov  
 Rebecca Ann Solarz on behalf of Creditor U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, N.A., as Trustee, for Chase Mortgage Finance Trust Multi-Class Mortgage Pass-Through Certificates Series 2005-A1 rsolarz@kmlawgroup.com  
 Sean M. O'Brien on behalf of Creditor U.S. Bank N.A., successor trustee to Wachovia Bank, N.A., as trustee, on behalf of the holders of Multi-Class Mortgage Pass-Through Certificates, Series 2005-A1 DMcDonough@flwlaw.com  
 Sean M. O'Brien on behalf of Loss Mitigation Select Portfolio Servicing DMcDonough@flwlaw.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10